

# **Committee on Resources**

## **Subcommittee on National Parks & Public Lands**

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### **Testimony**

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#### **Testimony on HR 3830**

**Utah Schools and Lands Exchange Act of 1998**  
**Utah Superintendent of Public Instruction Dr. Scott W. Bean, State of Utah**  
**The Subcommittee on National Parks and Public Lands**  
**May 19, 1998**

Thank you for the opportunity to speak today in favor of the exchange of school and federal assets as provided in HR 3830. Under the Agreement signed by Governor Leavitt and Secretary Babbitt, clear benefits will accrue to both the schools of Utah and the American people as the provisions of this bill are enacted.

During most of the years since statehood, Utah school lands have been captured within National Parks, Native American reservations, and National Forests without compensation. They have provided no support for our schools and our children. For three generations this abuse of trust has prevailed. There has been neither political will to exchange the lands nor compensation for their use. These captured school lands have pitted education against the environment, federal employees against state employees, while still leaving the issue of compensation to our schools unresolved. Utah schools have been placed in the untenable and unpopular position of developing within the National Parks or remaining uncompensated. We chose the higher ground. Utah school children have gone without books while supporting National Parks for the enjoyment of the nation. Before you today, is a proposal to resolve these contentious land issues satisfactorily for both the schools and the nation. Now is the time for resolution.

This bill will relinquish surface and mineral title to almost 376,000 acres of school lands captured within various federal designations. Our schools will receive approximately 130,000 acres. We acknowledge that the federal government will have a net gain of approximately one-quarter of a million acres. We recognize the concern that some may have over this significant increase in federal ownership in a state where the federal government controls over two-thirds of the land.

To modify this exchange in any way will disturb the delicate balance that has been negotiated. We believe that the School and Institutional Trust Lands Administration, acting on behalf of the children, has developed a proposal that will compensate us at an acceptable level. We believe that the Department of Interior has negotiated a proposal that is fair to the federal treasury and federal lands. Therefore, speaking for Utah schools, I assert that now is the time for resolution using the presently negotiated agreement.

As the State Superintendent of Public Instruction, I would like to emphasize the following aspects of the proposed exchange:

- Utah schools are relinquishing to the federal government all rights to the nation's largest untapped energy resource in the Kaiparowits Coal Basin.

- This proposed exchange is beneficial to the federal government especially as compared to other recently proposed exchanges involving sensitive natural resources desired for protection by the federal government. Other exchanges have offered compensation at multiples of this level for less than one percent of the lands identified in this exchange. These other exchanges would benefit private interests while this exchange benefits the public schools.
- Following this exchange, the federal government will have the opportunity to comprehensively manage our National Parks and Monuments.
- All of the school lands proposed for acquisition are in areas designated for surface and mineral development, thus avoiding environmentally protected areas.
- The education community, as the beneficiary of the school trust lands, offers its firm support to this Agreement as long as our representatives are included in all discussions and negotiations leading to a successful conclusion to this advantageous exchange.
- Our support for this proposal is conditioned upon the federal government's and the environmental community's assurances that all mineral and surface resources acquired in this exchange can be fully and expeditiously developed with governmental and environmental support.

We will follow the tedious details of this exchange. It is significant to note where the schools receive surface and mineral interests as opposed to only a determinable fee interest in speculative coal.

Education would like to commend the entire Utah delegation, the School and Institutional Trust Lands Administration, our governor and his staff, and Secretary Babbitt for the leadership and courage they have shown in developing this exchange and in resolving these controversial issues.

We strongly applaud the finality of this proposed exchange. The Utah education community has not been well served by the expectation of past exchanges that have been frustrated by politics and disagreement over valuation. If this exchange takes place as proposed, it will resolve the long-standing tension among educators, state and federal agencies, and environmental interests and allow Utahns to work together toward prosperity, economic health and adequate funding for education in the next century.

Furthermore, this proposed exchange will allow all Americans to appreciate and enjoy the beauties of our great state without compromising the education of Utah's children.

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